

WHY THE SAG-AFTRA MERGER MIGHT NOT HAPPEN

Combining the two actors guilds sounds like a win — until you hit the hurdles *By Jonathan Handel*

ALL SIGNS POINT TO a merger of the Screen Actors Guild and the American Federation of Television and Radio Artists. The boards of the dominant actors unions have held preliminary votes, committees are meeting, and at January's SAG Awards, such members as Melissa Leo and Julianna Margulies declared themselves in favor of a combination. Inside L.A.'s Shrine Auditorium that night, SAG president Ken Howard drew applause when he predicted a merger by 2012.

The case for a single "successor guild" seems obvious. SAG and AFTRA share awkward overlapping jurisdictions over television and new-media work, and about 45,000 performers are members of both. These dual cardholders pay two sets of initiation fees and dues, but with work split between the unions, many don't earn enough under either jurisdiction to qualify for vital pension and health benefits.

Still, there remain several reasons a merger might not happen:

1 DIFFERENT STRUCTURES

SAG's constitution gives its Hollywood division the ability to control the union, whereas AFTRA is decentralized — and



delegates at a convention. The two will have to be merged, restructured or replaced.

Integrating the staffs will mean myriad decisions and possible layoffs. Another touchy matter: Who gets to be national executive director?

2 THE CULTURES SAG

membership is aspirational — actors flock to Los Angeles in search of a SAG card — but few

includes motion picture work; AFTRA's does not. AFTRA represents newscasters and sound-recording artists; SAG does not.

Those differences have deep roots. Both unions were formed in the 1930s: SAG by movie actors and AFTRA's by radio performers. With the film industry in Los Angeles and radio in New York, each union jealously guarded its jurisdiction. Still, by the late '40s, some thought the rise of TV would bring a merger. That proved naïve. Instead, TV became the cause of six decades of tension. Sporadic merger efforts failed — most recently in 2003, when AFTRA members approved but SAG fell just shy of the requisite 60% supermajority. Soon thereafter, control of SAG shifted to a bitterly anti-AFTRA faction, whose attempts to marginalize its rival led to open conflict. In 2008, AFTRA surged

ahead, reaching a separate deal with the studios. Meanwhile, SAG dithered, resulting in forgone wages, diminished TV market share and lower contractual wage rates than its rival.

3 LEGAL HURDLES Equalizing wage rates and combining contracts is yet another task that poses "many complex issues," labor lawyer Scott Witlin says. In addition, AFTRA approves case-by-case contract modifications in television — arguing that this keeps work in the U.S. and under union jurisdiction — whereas SAG usually doesn't. Likewise, producers generally say SAG is harder to work with. Agents think so, too: SAG hasn't had a deal with the talent-agent associations in nearly a decade, unlike AFTRA.

4 BENEFIT PLANS Even more tricky might be merging the unions' pension and health plans. The intricate legal issues — and the fact that plans are jointly controlled by the studios and the respective unions — have led advocates to defer those tasks.

5 WHAT IT WOULD BE CALLED Howard says he favors SAG-AFTRA, adding that he'd accept "anything that works," including AFTRA-SAG. AFTRA president Roberta Reardon declines to offer specifics, and media scholar Vincent Mosco says merged unions usually do best with an entirely new name. No matter what happens, they'll also need a new logo.

And what about the other major guild, Actors' Equity? Howard predicts it might quickly join a merged SAG-AFTRA. The name of that superunion? Let's not even go there.

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its leaders want the merged organization decentralized. The unions' boards also differ: SAG's is elected directly by members, and AFTRA's is selected by

make the journey seeking AFTRA membership. The latter requires only payment of an initiation fee, whereas joining the former is more difficult. SAG's jurisdiction